

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of GEORGE TAYLOR, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JAMES TAYLOR,

Respondent-Appellant,

and

ARLENE TAYLOR,

Respondent.

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UNPUBLISHED

October 22, 1999

No. 217264

Ionia Circuit Court

Family Division

LC No. 98-000181 NA

Before: Griffin, P.J., and Zahra and Pavlich\*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from a family court order terminating his parental rights to the minor child under MCL 712A.19b(3)(b)(i); (j) and (k)(ii); MSA 27.3178(198.19b)(3)(b)(i), (j) and (k)(ii).<sup>1</sup> We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The family court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, respondent-appellant failed to show that termination of his parental rights was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, the family court did not err in terminating respondent-appellant's parental rights to the child.

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\* Circuit judge, sitting on the Court of Appeals by assignment.

Affirmed.

/s/ Richard Allen Griffin

/s/ Brian K. Zahra

/s/ Scott L. Pavlich

<sup>1</sup> Respondent's parental rights to three other children were also terminated on the same day, by separate order in a different lower court docket. Respondent-appellant has only claimed an appeal from the order terminating his parental rights to his son George.

MCL 712A.19b(3)(b)(i); MSA 27.3178(198.19b)(3)(b)(i) provides:

The child or a sibling of the child has suffered physical injury or physical or sexual abuse under either of the following circumstances:

(i) The parent's act caused the physical injury or physical or sexual abuse and the court finds that there is a reasonable likelihood that the child will suffer from injury or abuse in the foreseeable future if placed in the parent's home.

MCL 712A.19b(3)(j); MSA 27.3178(198.19b)(3)(j) provides:

There is a reasonable likelihood, based on the conduct or capacity of the child's parent, that the child will be harmed if he or she is returned to the home of the parent.

MCL 712A.19b(3)(k)(ii); MSA 27.3178(198.19b)(3)(k)(ii) provides:

The parent abused the child or a sibling of the child and the abuse included 1 or more of the following:

\* \* \*

(ii) Criminal sexual conduct involving penetration, attempted penetration, or assault with intent to penetrate.